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**PLANT
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications filed under 37 CFR 1.53(b))

| | |
|------------------------|-------------------------------------|
| Attorney Docket No. | 1461-005PP |
| First Named Inventor | Andrew Geoffrey Fiennes WARREN |
| Title | Calla Lily Plant Named 'Black Jack' |
| Express Mail Label No. | EV207753164US |

22390 U.S. PTO
10/766112

012704

ADDRESS TO:

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**
APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 6]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Latin name of genus and species
 - Variety denomination
 - Background of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - A single claim
 - Abstract of the Disclosure
4. ☒ Color drawing(s) [Total Sheets 9]
(2 copies required - 37 CFR 1.165(b))
5. Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
 8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
 9. ☐ English Translation Document (if applicable)
 10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
 11. ☐ Preliminary Amendment
 12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 13. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 14. ☐ Request Nonpublication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
 15. Other: Certificate of Express Mail Label
No. EV207753164US
- Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____

Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS
☒ Customer Number: 32915 OR ☐ Correspondence address below

Kenyon L. Schuett

9085 East Mineral Circle, Suite 200

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| | | | |
|-------------------|--------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Kenyon L. Schuett | Registration No. (Attorney/Agent) | 44,324 |
| Signature | <i>Kenyon L. Schuett</i> | Date | January 27, 2004 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2003 (Small Entity)

Complete if Known

| | |
|----------------------|--------------------------------|
| Application Number | 10/ |
| Filing Date | |
| First Named Inventor | Andrew Geoffrey Fiennes WARREN |
| Examiner Name | |
| Group Art Unit | |

| | | | |
|-------------------------|------------|------------------------|------------|
| Total Amount of Payment | (\$305.00) | Attorney Docket Number | 1461-005PP |
|-------------------------|------------|------------------------|------------|

METHOD OF PAYMENT (check one)

FEE CALCULATION (continued)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 50-2368 in the name of Jondle & Associates P.C.

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☒ Payment Enclosed:

☒ Check

☐ Credit Card

3. ADDITIONAL FEES

| Fee Code | Fee Paid | Fee Description | Fee Paid |
|----------|----------|--|----------|
| 2051 | 65 | Surcharge - late filing fee or oath | [] |
| 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | [] |
| 1053 | 130 | Non-English specification | [] |
| 1812 | 2,520 | For filing a request for reexamination | [] |
| 1804 | 920 | Requesting publication of SIR prior to Examiner action | [] |
| 1805 | 1,840* | Requesting publication of SIR after Examiner action | [] |
| 2251 | 55 | Extension for reply within first month | [] |
| 2252 | 210 | Extension for reply within second month | [] |
| 2253 | 475 | Extension for reply within third month | [] |
| 2254 | 740 | Extension for reply within fourth month | [] |
| 2255 | 1,005 | Extension for reply within fifth month | [] |
| 2401 | 165 | Notice of Appeal | [] |
| 2402 | 165 | Filing a brief in support of an appeal | [] |
| 2403 | 145 | Request for Oral Hearing | [] |
| 1451 | 1,510 | Petition to institute a public use proceeding | [] |
| 2452 | 55 | Petition to revive -unavoidable | [] |
| 2453 | 665 | Petition to revive - unintentional | [] |
| 2501 | 665 | Utility issue fee (or reissue) | [] |
| 2502 | 240 | Design issue fee | [] |
| 2503 | 320 | Plant issue fee | [] |
| 1460 | 130 | Petitions to the Commissioner | [] |
| 1807 | 50 | Processing fee under 37 CFR 1.17(q) | [] |
| 1806 | 180 | Submission of Information Disclosure Statement | [] |
| 8021 | 40 | Recording each patent assignment per property (times number of properties) | [40.00] |
| 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | [] |
| 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | [] |
| 2801 | 385 | Request for Continued Examination (RCE) | [] |
| 1802 | 900 | Request for expedited examination of a design application | [] |
| 1504 | 300 | Publication fee for early, voluntary, or normal publication | [] |
| 1505 | 300 | Publication fee for republication | [] |
| 1455 | 200 | Filing an application for patent term adjustment | [] |
| 1456 | 400 | Request for reinstatement of term reduced | [] |
| | | Other fee (specify) Statutory Disclaimer | [] |

FEE CALCULATION

1. FILING FEE

| Fee Code | Fee \$ | Fee Description | Fee Paid |
|----------|--------|------------------------|----------|
| 2001 | 385 | Utility filing fee | [] |
| 2002 | 170 | Design Filing Fee | [] |
| 2003 | 265 | Plant Filing Fee | [265.00] |
| 2004 | 385 | Reissue Filing Fee | [] |
| 2005 | 80 | Provisional Filing Fee | [] |

SUBTOTAL \$265.00

2. CLAIMS

| Total Claims | Extra Claims | Fee \$ | Fee Paid |
|--------------------------------------|--------------|------------|----------|
| [] - 20** = [] x | | \$ 9 = [] | |
| Independent Claims [] - 3** = [] x | | 43 = [] | |
| Multiple Dependent Claims + | | 145 = [] | |

**or number previously paid, if greater;

SUBTOTAL \$

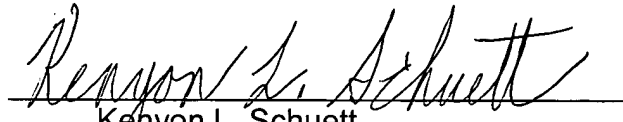
* Reduced by Basic Filing Fee Paid

SUBTOTAL \$40

| | | | |
|--------------------------|------------------------------------|--------------------------|--|
| SUBMITTED BY | | Complete (if applicable) | |
| NAME AND REG. NUMBER | Kenyon L. Schuett, Reg. No. 44,324 | | |
| SIGNATURE | DATE | DEPOSIT ACCOUNT USER ID | |
| <i>Kenyon L. Schuett</i> | January 27, 2004 | | |

Certificate of Mailing by Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on this 28th day of January 2004. The number of the Express Mail mailing label is EV207753164US.

A handwritten signature in cursive script, reading "Kenyon L. Schuett", written over a horizontal line.

Kenyon L. Schuett
Reg. No. 44,324
January 28, 2004